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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,372	02/26/2004	Gottfried Mueller	HOE-803	5135
20028	7590	07/10/2007	EXAMINER	
Lipsitz & McAllister, LLC 755 MAIN STREET MONROE, CT 06468			DOWE, KATHERINE MARIE	
		ART UNIT	PAPER NUMBER	
		3734		
		MAIL DATE	DELIVERY MODE	
		07/10/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)
	10/789,372	MUELLER ET AL.
	Examiner Katherine M. Dowe	Art Unit 3734

All participants (applicant, applicant's representative, PTO personnel):

(1) Katherine M. Dowe.

(3) Douglas McAllister.

(2) Michael Hayes.

(4) _____.

Date of Interview: 28 June 2007.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.

If Yes, brief description: _____.

Claim(s) discussed: 1 and 31.

Identification of prior art discussed: King et al. (US 3,874,388).

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



MICHAEL J. HAYES
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Katherine M. Dowe
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Regarding claim 1, King fails to disclose the wings do not protrude laterally over the base part in a flapped in position wherein the upper side of the base part is defined as the surface upon which the joints of the wings are fixed. Thus, a further search of the art is required.

Regarding claim 13, Applicant argued the positioning element does not provide a centering means. However, there is some degree of centering means provided due to relative inner and outer diameters of the positioning element and holding mandrel respectively. Furthermore, the trocar sheath and closure device are not positively claimed.